

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Voois <i>et al.</i>	Examiner:	Shingles, Kristie D.
Serial No.:	09/597,704	Group Art Unit:	2141
Filed:	June 16, 2000	Docket No.:	8X8S.249PA
Title:	COMMUNICATIONS CONTROLLER AND METHOD THEREFOR		

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DECLARATION UNDER 37 C.F.R. §§1.131 and 1.47

I hereby state and declare that I, Bryan Martin, am a party qualified to sign under 37 C.F.R. §1.47 on behalf of an uncooperative inventor of the subject matter which is claimed and for which a U.S. Patent is sought on the invention entitled: COMMUNICATIONS CONTROLLER AND METHOD THEREFOR, having U.S. Patent Application Serial Number 09/597,704 (Docket No. 8X8S.249PA), filed on June 16, 2000.

I, Bryan Martin, further state and declare that I have reviewed and understand the contents of the above-identified specification, including the claims, and that:

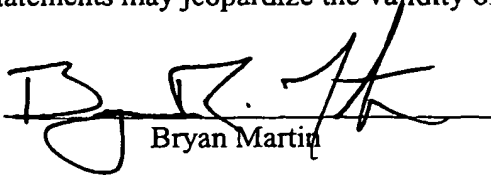
1. The invention claimed in the above-referenced application was conceived before December 30, 1999; a true and accurate photocopy of portions of a document entitled IntraSwitch showing constructive reduction to practice of the claimed invention having a date preceding December 30, 1999 is attached hereto with a redaction of the date.

2. Before December 30, 1999, the claimed invention was reduced to practice as is demonstrated by the attached pages of the IntraSwitch document, labeled for this submission as Exhibit A. For example, regarding the independent claims (*i.e.*, claims 1, 15 and 20), pages 11 and 14 of Exhibit A show a communications center implemented via a user interface and programmable controller that enables a user to input configuration information to control call routing (*i.e.*, to control communications between, and programmably configure a plurality of IP telephony devices). As is demonstrated by page 8 of Exhibit A, a call announcer enables a user to respond to a call and to control a telephone (*i.e.*, an IP telephony device). As is further demonstrated by pages 86 and 87 of Exhibit A, a system manager interface that facilitates system-administrator control and configuration of a telephony system, and further facilitates an administrator to control user-access to the telephony system (*e.g.*, as may be relevant to claims 1, 9-11, 15-17 and 20-21). In another example, pages 6 and 8 of Exhibit A show that the communications center requires Java coding and the call announcer is a locally-installed Java applet (*e.g.*, as may be relevant to claims 3, 12, 15 and 18-20). In a further example, the communications center on page 14 of Exhibit A is the same as Figure 2 of the patent application as filed and the system manger interface on page 86 of Exhibit A is the same as Figure 3 of the patent application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: January 5, 2007

Signature:

A handwritten signature in black ink, appearing to read "Bryan Martin", written over a horizontal line.

Bryan Martin



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In re Application of  
Paul A. Voois et al.  
Application No. 09/597,704  
Filed: June 16, 2000  
For: Communications Controller and Method  
Therefor

:  
: DECISION ACCORDING STATUS  
: UNDER 37 CFR 1.47(a)  
:

This is a decision on the petition under 37 CFR 1.47(a) filed July 31, 2001.

The petition under 37 CFR 1.47(a) is **granted**.

Petitioner has shown that the non-signing inventor has refused to join in the filing of the above-identified application.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

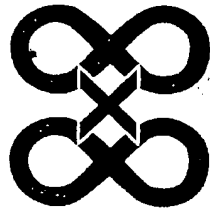
After the mailing of this decision, the file will be forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries regarding this decision should be directed to Latrice Bond at (703) 308-6911.

Latrice Bond  
Paralegal Specialist  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

Frances Hicks  
Lead Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

COOPER ( INTERACTION DESIGN



IntraSwitch

### Technical Considerations

Cooper does not provide implementation details in a Synthesis of Form design; 8x8's development team is better suited to make those decisions. This section describes some technical considerations that Cooper identified during the design that are worth mentioning because they affect the interaction design.

#### CALL ANNOUNCER

The Call Announcer is a locally installed, native Java application. It does not run in a browser. The Call Announcer is not required for the Communications Center to work (and vice versa).

#### COMMUNICATIONS CENTER

Below are some notes about the Communications Center browser application.

#### Notes about implementation languages

- The Communications Center interface will require, at a minimum, DHTML, JavaScript, and Java coding.
- JavaScript makes it easy to display a state change on an interface element during a mouse rollover, such as highlighting a button or making an element flash or pulse. However, this design recommends that only a mouse click changes an interface element, when appropriate (such as "depressing" a button to show that it has been pressed). Using rollover representations distracts users and makes the interface difficult to understand. When appropriate, a rollover may display a ToolTip that contains more information about the control, but only after a 1-second delay.

#### Application display

- The Communications Center is optimized to run full-screen in a browser window.
- When launched, the application appears in a browser window that does not contain a browser toolbar or any browser-specific tools. It should not be possible to use the Communications Center application window to display anything but the Communications Center; this would confuse its nature for Cindy, who can open a separate browser window to display Internet pages.
- The design is optimized for screens with 800x600 or better resolution.
- There are a small number of popup dialogs displayed when Cindy executes certain commands (as described later in this document). These child windows should be displayed with an "always on top" setting so that Cindy never loses them behind the main application window. These child windows should also not get a placeholder on the Windows Start bar.

#### Frame Sets

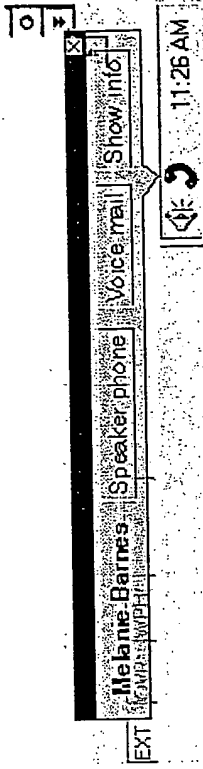
- If the implementation utilizes frame sets, do not display scroll bars for each frame unless necessary; multiple scroll bars make the interface cluttered and confusing. This design document points out those areas of the screen that may contain scroll bars if data exceeds the frame boundary.

#### SAVING DATA

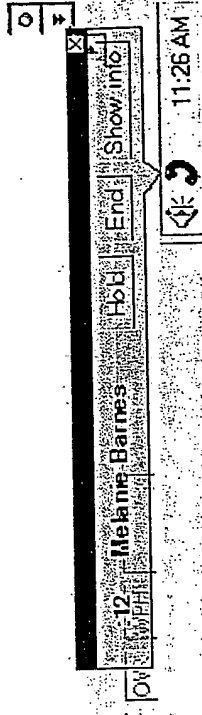
Most browser-based applications require that users explicitly send data to the server every time they enter or change data. With few exceptions, however, this interface hides the browser "submit" model from Cindy. Whenever Cindy leaves a field (by clicking on another part of the interface), the

# Exhibit A

## THE CALL ANNOUNCER



Call Announcer while the phone is ringing



Call Announcer during a phone call

## THE CALL ANNOUNCER

The Call Announcer is a locally-installed Java applet that constantly runs in the background of Cindy's system. It acts as a sentinel, waiting for an incoming phone call. It only appears when the phone rings (not during calls Cindy initiates).

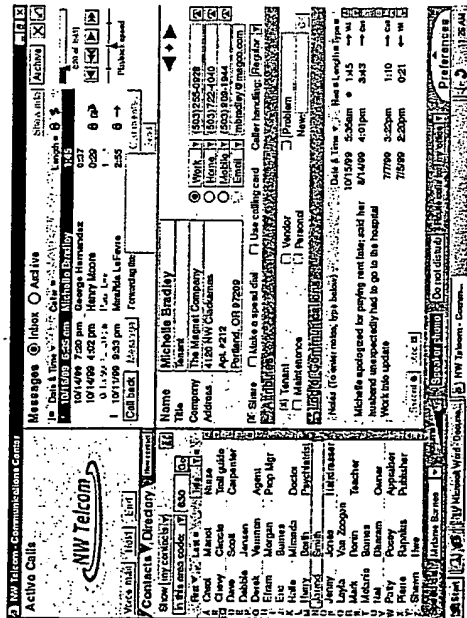
When displayed, the Call Announcer is small and subtle; like a telephone ring, it informs Cindy about a telephone call without interrupting what she is doing. The Call Announcer appears in the lower right corner of the screen, just above the IntraSwitch icon in the system tray. This is an unobtrusive area of the screen, and does not cover any vital controls on most applications. To underscore its transient nature, the Call Announcer is semi-transparent so that Cindy can see the screen beneath it. (This is preferable, but not a critical aspect of the design.)

The Call Announcer has two states: one when a call rings, and another during a call.

## INCOMING CALLS

When the telephone rings, the Call Announcer immediately appears. Using caller ID, it displays the name of the person calling. It also contains three buttons:

- *Speaker phone.* Cindy clicks this to answer the phone via her handset's speaker phone.
- *Voice mail.* This button sends the caller directly to voice mail, which immediately stops the phone from ringing. If Cindy does nothing with the call, it will eventually go to voice mail as usual.
- *Show info.* When Cindy clicks this button, the Communications Center appears and the contact information for the caller is displayed in the contact info area. If there is no contact info associated with this caller, then the button label is *Create new* instead. Cindy clicks on this to display a mostly blank form in the contact info area (it contains the caller's name and phone number, as inferred from caller ID).



## COMMUNICATIONS CENTER

The Communications Center is Cindy's main telephone communications application; it is optimized to take up the entire screen. The Communications Center makes it easier for her to use her hardware telephone, and eliminates the need for her to climb through IVR trees while at work.

The Communications Center doesn't force Cindy to manage her telephone and telephone calls. Rather, it gives her powerful tools to capture and access information about her contacts and the interactions she has with them. It also eliminates the need for multiple, disconnected information systems like a paper Rolodex, notepad, and contact management software that is not linked with her telephone.

Using the Communications Center, Cindy can:

- use attributes—not just names—to find quickly and dial automatically any personal contact, co-worker, or company-wide contact
- add an incoming caller to her list of contacts by taking advantage of caller ID technology
- enable a proxy to see and manage her voice mail messages while Cindy is out of the office
- easily telecommute from home in a way that is seamless to callers and the receptionist (the application is available from any computer with an Internet connection)
- set up "follow me" functionality
- see voice mail messages on the computer and play them back without needing to use an IVR system to log into her voice mail box from the telephone

- access and dial phone numbers using an online yellow pages directory
- keep track of every call and voice mail associated by contact
- enter notes for any conversation
- record conversations

## PDA SYNCHRONIZATION



The Communications Center's remote accessibility lets Cindy access phone numbers and communication information for her contacts from any computer with an Internet connection and a browser. To make her contacts database even more portable, she could synchronize a Personal Digital Assistant (PDA) device, such as a Palm Pilot, with her database.

## NOTE ABOUT INTERFACE ELEMENT NAMES

Because contact management is a central feature of the Communications Center, some interface elements have the word "contact" in their names, as described in this document and in the interface itself. The advantage of the Communications Center's contact management is not that it will replace dedicated contact management desktop applications which are designed to warehouse complex sales, financial, and company information. Rather, it is designed to give Cindy a more powerful, integrated telephone and phone book.

If using terms such as "contact" and "contact management" in the software make it more difficult to market the product, Cooper suggests that you replace the terms with "Phone Book" (instead of Contacts list), "Workspace" (instead of Contact Info area), and so forth.

## COMMUNICATIONS CENTER

**Active Calls Area**  
Cindy sees incoming calls in this area. She can see more information about the caller in the Contact Info area, and answer, transfer, or send the call to voice mail.

**Contacts List**  
Cindy uses the Contacts list to find people with whom she's communicated, employees in her company, or numbers from general online telephone directories.

**NW Telcom - Communications Center**

**Active Calls**

Voice mail: Hold End

**Contacts Directory**

Show my contacts: 630 Go

In this area code: Last Title

A	Carol	Mariot	Nurse
B	Cheryl	Chaste	Trail guide
C	Dave	Scott	Carpenter
D	Debbie	Jensen	
E	Derek	Verman	Agent
F	Erlam	Morgan	Prop Mgr
G	Eric	Barnes	
H	Halle	Miranda	Doctor
I	Harry	Barth	Psychiatrist
J	Jarrod	Smith	
K	Jenny	Jones	Hairdresser
L	Layla	Van Zoogen	
M	Mark	Ronin	Teacher
N	Melanie	Barnes	
O	Nat	Dharan	Owner
P	Patty	Posey	Appraiser
Q	Pierre	Rapalus	Publisher
R	Shawn	Hwe	

**Messages** ☒ Inboxes ☐ Archive

Date & Time: 10/15/99 5:35 am Caller: Michelle Bradley

Length: 1:45 (20 of 1:45)

0:37 0:28 1:12 2:55

Playback speed: 0 →

Call back Message Forwarding list: Comments: Send

**Message Info** Archive

**Michelle Bradley**

Name: Tenant

Title: The Magnet Company

Company: 4120 NW Clackamas

Address: Apt #212

Portland, OR 97209

Work: (503) 255-0928

Home: (503) 722-4040

Mobile: (503) 908-1944

Email: mbradley@magco.com

☒ Share ☐ Make a speed dial ☐ Use calling card ☐ Caller handling: Regular

**Attributes**

☒ Tenant ☐ Vendor ☐ Problem

☐ Maintenance ☐ Personal

**Notes** (To enter notes, type below)

10/15/99 5:35am 1:45

8/14/99 4:01pm 3:43

7/7/99 3:22pm 1:10

7/5/99 2:20pm 0:21

Michelle apologized for paying rent late; said her husband unexpectedly had to go to the hospital.

Work info update

**Phone Control Toolbar**

Speaker phone Do not disturb Hold call Transfer call

Record Stop

**Preferences**

Speed dial Melanie Barnes Volume

Start MW Microsoft Word: Document NW Telcom: Comm 11:26 AM

**Messages Area**  
The Messages area contains controls for listening to and managing voice mail messages.

**Contact Info Area**  
The Contact Info area displays details about a caller selected in the Active Calls area, Contacts list, or Messages area.

## Phone Control Toolbar

This toolbar contains controls related to Cindy's hardware telephone. A list box specifies where calls are being routed (to the office, to home, etc.).

The toolbar also contains the Preferences drawer handle. Cindy clicks on this to open the drawer, which contains controls for specifying user preferences.



Ken's Interface: System Manager (shuffler) in use

Organizer

Workspace

Toolbar  
(for System  
Manager only)

Shuffler  
Statement  
(for System  
Manager only)

Results List  
(for System  
Manager only)

Details  
Drawer  
(for System  
Manager only)

PrinLink Control Console

System Manager | Add person | Apply changes | Undo

Show devices | In this location | Second floor

Device name | Model | IP address | MAC address | User assigned

Device name	Model	IP address	MAC address	User assigned
Analog phone	Panasonic XRQ12	122.128.55.0	00-e0-bb-d7	221 Joe Smith
Analog phone	Panasonic XRQ12	122.128.55.2	00-e0-bb-d7	227 Juan Gonzalez
Analog phone	Panasonic XRQ12	122.128.55.12	00-e0-bb-d7	228 Eric Kemp
Analog phone	Panasonic XRQ12	122.128.55.7	00-e0-bb-d7	222 Zoe Morello
Analog phone	Panasonic XRQ12	122.128.55.0	00-e0-bb-d7	202 Ender Wigglin
Accounting fax	HP 128i	122.128.55.8	00-e0-bb-d7	227 Isaac Ashnov
2nd floor symphony 1	8x8 Symphony 2.3	122.128.55.10	00-e0-bb-d7	235
Analog phone	Panasonic XRQ12	122.128.55.1	00-e0-bb-d7	230 Mary Ann Bradley
Analog phone	Panasonic 6300 XP	122.128.55.4	00-e0-bb-d7	231 Carol Kling
2nd floor symphony 2	8x8 symphony 2.3	122.128.55.3	00-e0-bb-d7	228
Analog phone	Panasonic XRQ12	122.128.55.7	00-e0-bb-d7	205 Eve Odor
Analog phone	Panasonic 8800 XP	122.128.55.11	00-e0-bb-d7	231 Trevor Arlison
Analog phone	Panasonic 8800 XP	122.128.55.6	00-e0-bb-d7	221 James Harriman
Marketing fax	HP 345 L	122.128.55.8	00-e0-bb-d7	228 Gary West
Analog phone	Panasonic XRQ12	122.128.55.13	00-e0-bb-d7	239 Sally Ride
IP phone	Siemens T56	122.128.55.21	00-e0-bb-d7	239 Carle Nallon
Cisco hub 2	Cisco 8821	122.128.55.14	00-e0-bb-d7	208
Analog phone	Panasonic XRQ12	122.128.55.32	00-e0-bb-d7	211 Emma Goldman
Analog phone	Panasonic XRQ12	122.128.55.17	00-e0-bb-d7	227 Cornell West
Analog phone	Panasonic 890 XP	122.128.55.23	00-e0-bb-d7	236 John Glenn
2nd floor symphony 2	8x8 Symphony 2.3	122.128.55.54	00-e0-bb-d7	206
IP phone	Siemens T56	122.128.55.18	00-e0-bb-d7	233 Kathryn Lang
Analog phone	Panasonic XRQ12	122.128.55.27	00-e0-bb-d7	240 Huy Lee
Receptionist fax	Xerox 768	122.128.55.42	00-e0-bb-d7	120 Maria Lopez
Analog phone	Panasonic XRQ12	122.128.55.18	00-e0-bb-d7	111 Ann Shriver
Analog phone	Panasonic XRQ12	122.128.55.47	00-e0-bb-d7	104 John Proctor
1st floor symphony	8x8 Symphony 2.3	122.128.55.36	00-e0-bb-d7	112
Analog phone	Panasonic XRQ12	122.128.55.47	00-e0-bb-d7	104 John Proctor

Click to see device details

1924 channels (32K) Voice mail (32K) 125.000 of 30.000 Points in use (4.141) Available (4.9)

PrinLink Control Console | Start | Inboxes | Microsoft Outlook

12:53 PM

Navigation  
Bar

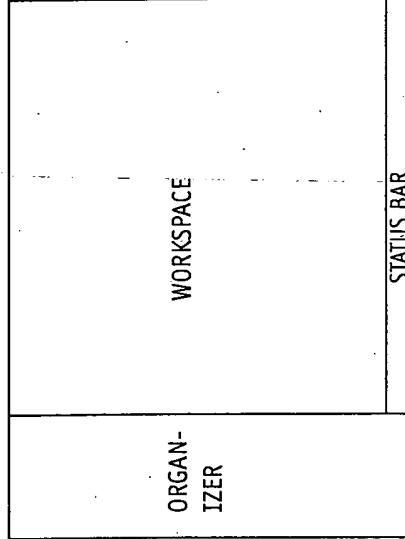
Task  
List

Status  
Bar

# Exhibit A

## Basic Screen Layout and Workflow

The left part of Ken's screen is an Organizer and the right is his Workspace. Ken's workflow, like Cindy's and Shirley's, is essentially left to right: He selects an item in the Organizer that he wants to work on, and the material relevant to that item appears in his Workspace.



Three items are persistent on Ken's screen at all times, no matter what he is working on: the Navigation Bar and the Task List (which are the two components of the Organizer) and the Status Bar. We will discuss the contents and behaviors of these three persistent items before getting into the work that he does in the Workspace.

## Navigation Bar

The Navigation Bar occupies the top part of the Organizer. It consists of five parts:

- System Manager (shuffler)
- Reports

- Settings
- Maintenance
- Services

The Reports, Settings, and Maintenance headings each



have sub-listings available. Ken

can show or hide the listings under any of these headings by clicking the box beside the heading. If the contents of the Navigation Bar exceed the space available for them, a scroll bar appears.

## SYSTEM MANAGER

This is Ken's shuffler. Since it gives him rich status information and helps him manage system components, it is the part of his interface that he will use the most. It is discussed in detail on page 120.

## REPORTS

The several types of reports we show in the Reports section of the Organizer are placeholders for whichever actual reports 8x8 chooses to offer.

The design for

Ken's reports was developed thoroughly enough in the Approach document that not much more need be said about it here. See the Approach document pp. 53-55 for the description, but note the following change in design: The Organizer's Navigation Bar is now a simple list. We have

Navigation Bar

